

Zoning Text Amendment No.: 20-02  
Concerning: Accessory Structures -  
Standards  
Draft No. & Date: 1 – 1/14/20  
Introduced: January 28, 2020  
Public Hearing:  
Adopted:  
Effective:  
Ordinance No.:

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND  
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF  
THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN  
MONTGOMERY COUNTY, MARYLAND**

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Lead Sponsor: Councilmembers Friedson and Jawando

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**AN AMENDMENT** to the Montgomery County Zoning Ordinance to:

- Clarify the standards for the total allowed square footage for all accessory structures

By amending the following sections of the Montgomery County Zoning Ordinance,  
Chapter 59 of the Montgomery County Code:

Division 1.4. “Defined Terms”  
Section 1.4.1. “Rules of Interpretation”  
Division 3.7. “Miscellaneous Uses”  
Section 3.7.4. “Accessory Miscellaneous Uses”

**EXPLANATION:** ***Boldface** indicates a Heading or a defined term.*

*Underlining indicates text that is added to existing law by the original text amendment.*

*[Single boldface brackets] indicate text that is deleted from existing law by original text amendment.*

***Double underlining** indicates text that is added to the text amendment by amendment.*

*[[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment.*

*\* \* \* indicates existing law unaffected by the text amendment.*

*ORDINANCE*

*The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following ordinance:*

**Sec. 1. DIVISION 1.4 is amended as follows:**

**Division 1.4. Defined Terms**

**Section 1.4.1. Rules of Interpretation**

\* \* \*

**E. Singular and Plural**

The singular includes the plural and the plural includes the singular. The limitation on the footprint of accessory buildings or structures applies to all buildings or structures on the site combined.

\* \* \*

**Sec. 2 DIVISION 3.7 is amended as follows:**

**Division 3.7. Miscellaneous Uses**

\* \* \*

**Section 3.7.4. Accessory Miscellaneous Uses**

**A. Accessory Structure**

**1. Defined**

Accessory Structure means a structure subordinate to and located on the same lot as a principal building, the use of which is incidental to the use of the principal building or to the use of the land. An Accessory Structure is not attached by any part of a common wall or common roof to the principal building.

**2. Use Standards**

Where an Accessory Structure is allowed as a limited use, it must satisfy the following standards:

- a. In Agricultural and Rural Residential zones, the maximum footprint of [an] all accessory [building] buildings on a lot where the [main] principal building is a detached house is 50%

of the footprint of the [main] principal building. Buildings for an agricultural use are exempt from this size restriction.

- b. In Residential Detached zones, the maximum footprint of [an] all accessory [building] buildings on a lot where the [main] principal building is a detached house is 50% of the footprint of the [main] principal building or 600 square feet, whichever is greater. Without regard to any pre-existing accessory building, the footprint of a Detached Accessory Dwelling Unit is limited only by Subsection 3.3.3.C.2.e. Buildings for an agricultural use are exempt from this size restriction.

\* \* \*

**Sec. 2. Note.** This amendment clarifies the Zoning Ordinance without any substantive change. It will not require any change in the Department of Permitting Services' administration of the ordinance.

**Sec. 3. Effective date.** This ordinance becomes effective immediately upon Council adoption.

This is a correct copy of Council action.

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Selena Mendy Singleton, Esq.  
Clerk of the Council